

REMARKS

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority under 35 U.S.C. § 119(a)-(d), and for confirming that the certified copy of the priority document has been received at the Patent Office.

Claim Rejections:

Claims 1-11 are all the claims pending in the application, and currently all of the claims stand rejected.

35 U.S.C. § 112, 2nd Paragraph Rejection - Claims 5-11:

Claims 5-11 stand rejected under 35 U.S.C. § 112, 2nd paragraph as being indefinite. Applicant has amended claim 5 as shown in the attached Appendix to clarify the invention claimed, and hereby requests the Examiner reconsider and withdraw the above rejection of claim 5 under 35 U.S.C. § 112, 2nd paragraph.

Applicant notes that the above referenced amendment to claim 5 was merely intended to clarify the claimed invention and is not intended to narrow the scope or spirit of the original claim 5 in any way.

35 U.S.C. § 102(e) Rejection - Claims 1-8 and 10-11:

Claims 1-8 and 10-11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,053,776 to Bricaud et al. In view of the following discussion, Applicant respectfully traverses the above rejection.

Bricaud discloses a thin electrical connector for connecting contact pads of a smart card to a circuit board. The electrical connector includes a number of contacts **44**, each having engaging blades **60**, which make contact with the smart card, and connection ends **68**, which are

soldered to traces on the circuit board. *See* Bricaud, Figures 3 and 8-11, and col. 3, lines 14-20. The contacts **44** are secured to an insulative support plate **42**, which is secured to a circuit board. The contacts **44** are secured to the insulative support plate **42** using a pair of front branches **82** (each having a ear **104**), and a pair of rear branches **84** (each having an ear **118**). *See id.* at Figures 3 and 8-9, and col. 3, lines 50-60. The ears **104** and **118** of each of the front and rear branches “lie in upwardly opening recesses in the support plate.” *Id.* at col. 3, lines 59-60.

In the Examiner’s reasons for rejection, the Examiner relies on the Figures 10 and 11, in Bricaud, to disclose “that the two branches lie in two diverging planes and the intersection of said two planes is within the base of the U-shape.” *See* claim 1, and the Office Action dated August 28, 2001, page 2, para. 4. However, there is no express disclosure, in any way, in Bricaud as to the planar relationship between the arms **60** and **82**, and, therefore, it seems that the Examiner is relying solely on the illustration in Figures 10 and 11 to disclose this feature of the present invention. Applicant does acknowledge that drawings and Figures may be used to disclose claim elements, however, Applicant notes that Figures must clearly show the structure which is claimed. *See In re Mraz*, 455 F.2d 1069, 173 U.S.P.Q. 25 (CCPA 1972). The picture must show all of the claimed structural features and how they are put together. *See Jockmus v. Leviton*, 28 F.2d 812 (2d Cir. 1928). Applicant submits that such a showing is not made in Bricaud’s Figures 10 and 11.

As illustrated in the attached Appendix B, the cross-sectional view shown in Figure 10 clearly shows that the structure disclosed in Bricaud fails to disclose the above claimed feature of the present invention. Referring now to Appendix B, the line **A** represents the forward edge of

the base 66, opposite the back edge of the base 110. Further, shown in Appendix B are three planar intersections **B**, **D** and **G**, all of which are outside of the base 66, as defined by the line **A** and 110. Intersection **B** is the point where the planes which are represented by the top surfaces of the arms 60 and 82 intersect, intersection **D** is the point where the planes which are represented by the bottom surfaces of the arms 60 and 82 intersect (line **C** is an imaginary extension of the bottom plane of the arm 60), and intersection **G** is the point where the planes which are represented by the lines **E** and **F** intersect (lines **E** and **F** are planes representing the mid-points on the arms 60 and 82 between the top and bottom surfaces). As shown, each of the intersection points is outside of the base 66. Therefore, Figures 10 and 11 fail to clearly show the structure that is claimed and how it is put together.

In view of the foregoing, Applicant respectfully submits that Bricaud fails to disclose each and every feature of the claimed invention, and hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(e) rejection of claims 1 and 5. Further, as claims 2-4 and 7-8, 10-11 depend on claims 1 and 5, respectively, Applicant submits that these claims are also allowable, at least by reason of their dependency.

35 U.S.C. § 103(a) Rejection - Claim 9:

Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bricaud in view of U.S. Patent No. 5,865,642 to Suzuki. Since claim 9 depends upon claim 5 and since Suzuki does not cure the deficient teachings of Bricaud with respect to claim 5, Applicant submits that claim 9 is patentable at least by reason of its dependency.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 09/673,614

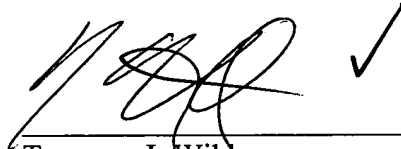
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Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

5. (Amended) An electrical connector having a first face and a second face opposite the first face, the connector including at least one housing for receiving a spring contact and opening onto both faces, said spring contact being substantially U-shaped and having two branches and a base joining the two branches at one end, each branch being adapted to make electrical contact with a device, characterized in that the two branches lie in two diverging planes and the intersection of said two planes is within the base of the U-shape;

wherein the spring contact is positioned in the housing so that the plane containing the base of the U-shape is substantially parallel to ~~the~~ respective planes of the faces of the connector.